

ORDINANCE NO. 890105-S

AN ORDINANCE ORDERING A REZONING AND CHANGING THE ZONING MAP ACCOMPANYING CHAPTER 13-2 OF THE AUSTIN CITY CODE OF 1981 AS FOLLOWS:

TRACT 1: 0.3495 ACRE TRACT OF LAND OUT OF LOT 1, BLOCK A, SOUTH POINT SUBDIVISION, FROM "GR" COMMUNITY COMMERCIAL DISTRICT TO "CS-CO" GENERAL COMMERCIAL SERVICES DISTRICT-CONDITIONAL OVERLAY COMBINING DISTRICT; AND,

TRACT 2: 0.1498 ACRE TRACT OF LAND OUT OF LOTS 1 AND 2, BLOCK A, SOUTH POINT SUBDIVISION, FROM "GR" COMMUNITY COMMERCIAL DISTRICT TO "CS-CO" GENERAL COMMERCIAL SERVICES DISTRICT-CONDITIONAL OVERLAY COMBINING DISTRICT,

LOCALLY KNOWN AS 5000 SOUTH INTERSTATE HIGHWAY SERVICE ROAD, SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. Chapter 13-2 of the Austin City Code of 1981 is amended to change the base zoning district from "GR" Community Commercial district to "CS-CO" General Commercial Services district-Conditional Overlay combining district on the property described in File C14-88-0130-CO, as follows:

TRACT 1: 0.3495 acre tract of land out of Lot 1, Block A, South Point Subdivision, a subdivision of a portion of the Santiago Del Valle Grant, said 0.3495 acre tract being more particularly described by metes and bounds in "Exhibit A" attached and incorporated herein for all purposes; and,

TRACT 2: 0.1498 acre tract of land out of Lots 1 and 2, Block A, South Point Subdivision, a subdivision of a portion of the Santiago Del Valle Grant, said 0.1498 acre tract being more particularly described by metes and bounds in "Exhibit B" attached and incorporated herein for all purposes,

locally known as 5000 South Interstate Highway Service Road, in the City of Austin, Travis County, Texas.

PART 2. Notwithstanding any use or site development regulations of the "CS" General Commercial Services base district to the contrary, the property within the boundaries of the Conditional Overlay combining district established by this ordinance is subject to the following restriction:

1. The use of the Property shall be restricted to the sale, repair, and rental of trucks of one ton or greater capacity.
2. The use of the Property shall be restricted to the range of "GR" Community Commercial district uses that are also permitted in the "CS" General Commercial Services district as set forth in Sec. 13-2-221 of the Land Development Code.

Except as specifically restricted pursuant to this ordinance, the property may be developed and used in accordance with the regulations established for the "CS" General Commercial Services base district and other applicable requirements of the Land Development Code.

PART 3. It is ordered that the Zoning Map established by Sec. 13-2-22 of the Austin City Code of 1981 and made a part thereof shall be changed to record the amendment enacted by this ordinance.

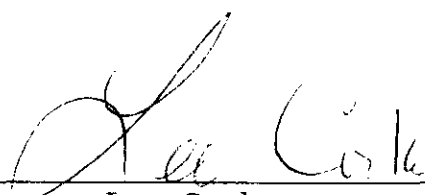
PART 4. The requirement imposed by Section 2-2-3 of the Austin City Code of 1981 that this ordinance be read on three separate days shall be waived by the affirmative vote of five members of the City Council to pass this ordinance through more than one reading on a single vote.

PART 5. This ordinance shall be effective ten days after the date of its final passage.

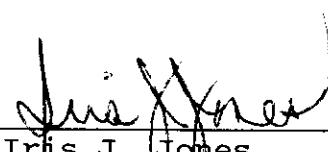
PASSED AND APPROVED

January 5, 1989

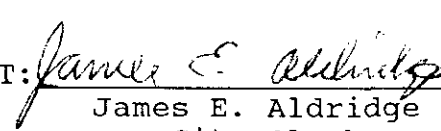
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Lee Cooke
Mayor

APPROVED:


Iris J. Jones
Acting City Attorney

ATTEST:


James E. Aldridge
City Clerk

88-0130.ord
AFM/jj

FIELD NOTES

FOR 0.3495 ACRE OF LAND, SAME BEING OUT OF AND A PART LOT 1, BLOCK "A", SOUTH POINT SUBDIVISION, A SUBDIVISION OF A PORTION OF THE SANTIAGO DEL VALLE GRANT IN TRAVIS COUNTY, TEXAS, WHICH ACCORDING TO A PLAT THEREOF AS RECORDED IN VOLUME 85, PAGE 11A, OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, WHICH SAID LOT 1, BLOCK "A", WAS CONVEYED UNTO CHASEWOOD PARTNERS IX - AUSTIN, BY DEED RECORDED IN VOLUME 09068, PAGE 409, OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.3495 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a point situated on the west right-of-way line of Interstate Highway No. 35 marking the extreme southerly corner of said Lot 1;

THENCE, N 35°-56'-51" E., 165.00 feet coincident with the west right-of-way line of Interstate Highway No. 35, same being the east line of said Lot 1, to the POINT OF BEGINNING;

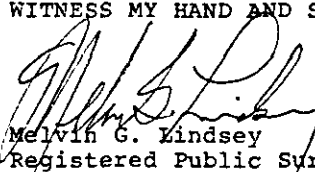
THENCE, through the interior of said Lot 1, the following three (3) calls:

1. N 54°-03'-09" W., 145.00 feet;
2. N 35°-56'-51" E., 105.00 feet;
3. S 54°-03'-09" E., 145.00 feet to a point situated on the west right-of-way line of said Interstate No. 35, same being the east line of said Lot 1;

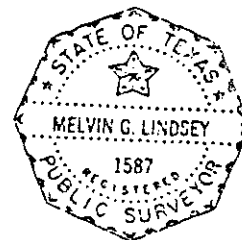
THENCE, S 35°-56'-51" W., 105.00 feet coincident with said west right-of-way line of Interstate Highway No. 35, same being the east line of said Lot 1, to the POINT OF BEGINNING, and containing 0.3495 acre of land.

The foregoing field notes were prepared from deed records according to law and are true and correct to the best of my information, knowledge, and belief and do not purport to be an actual survey on the ground.

WITNESS MY HAND AND SEAL, this 13th day of December, 1988, A.D.


Melvin G. Lindsey
Registered Public Surveyor No. 1587

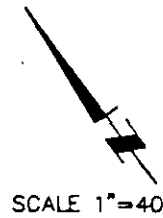
RN:BA:owg
Job No. 8051/1.202
10-03-1988
Revised 12-13-1988



8051
IBMWS0167

EXHIBIT "A"

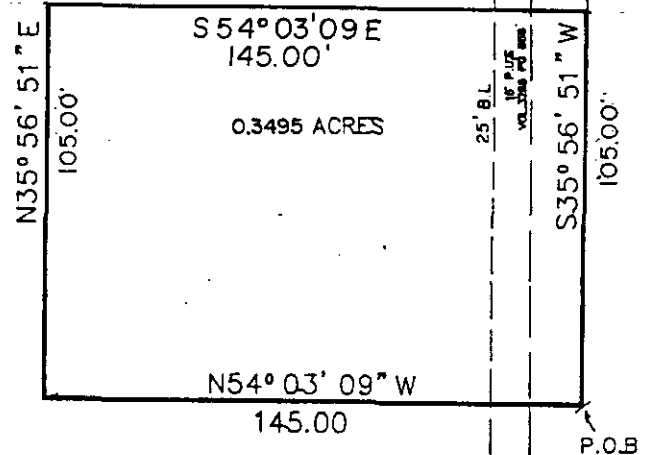
SKETCH TO ACCOMPANY FIELD NOTES



SCALE 1"=40'

LOT 1
BLOCK "A"
SOUTH POINT SUBDIVISION
VOL 85 PG 11 A

SANTIAGO DEL VALLE GRANT



INTERSTATE HIGHWAY NO 35

LOT 1
BLOCK "A"
SOUTH POINT SUBDIVISION
VOL 85 PG 11 A

BATTLE BEND SPRINGS INC
VOL 3462 PG 1645



CURINGTON
ASSOCIATES, INC.

CORPORATE ENGINEERS, PLANNERS, SURVEYORS
9017 NORTHCHASE BLVD. AUSTIN, TEXAS 78758

JOB NO. 8051/L202

EXHIBIT "A"

FIELD NOTES

FOR 0.1498 ACRE OF LAND, SAME BEING OUT OF AND A PART OF LOTS ONE (1) AND TWO (2), BLOCK A, OF SOUTH POINT SUBDIVISION, A SUBDIVISION OF A PORTION OF THE SANTIAGO DEL VALLE GRANT IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, ACCORDING TO A PLAT THEREOF AS RECORDED IN VOLUME 85, PAGE 11A, OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, WHICH LOTS ONE (1) AND TWO (2) WERE CONVEYED UNTO CHASEWOOD PARTNERS IX-AUSTIN ACCORDING TO A WARRANTY DEED AS RECORDED IN VOLUME 09068, PAGE 409, OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.1498 ACRE OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a point marking the extreme westerly corner of said Lot One (1), same being the extreme southerly corner of said Lot Two (2);

THENCE, N 27°-36'-20" E., 321.23 feet coincident with the common line between said Lots One (1) and Two (2) to the POINT OF BEGINNING;

THENCE, N 60°-13'-00" W., 16.40 feet through the interior of said Lot Two (2);

THENCE, N 29°-47'-00" E., 72.50 feet through the interior of said Lot Two (2);

THENCE, S 60°-13'-00" E., at 13.64 feet passing the common line between said Lots One (1) and Two (2), in all a total distance of 90.00 feet;

THENCE, S 29°-47'-00" W., 72.50 feet through the interior of said Lot One (1);

THENCE, N 60°-13'-00" W., 73.60 feet through the interior of said Lot One (1) to the POINT OF BEGINNING and containing 0.1498 acre of land.

The foregoing field notes were prepared from deed records according to law and are true and correct to the best of my information, knowledge and belief and do not purport to be an actual survey on the ground.

WITNESS MY HAND AND SEAL this 13th day of December, 1988, A.D.


Melvin G. Lindsey
Registered Public Surveyor No. 1587

FN:BA:owg
Job No. 8051/1.202
12-13-1988

8051/IBMWS0167

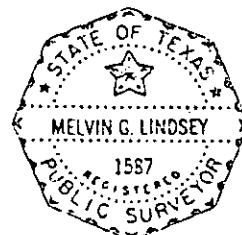
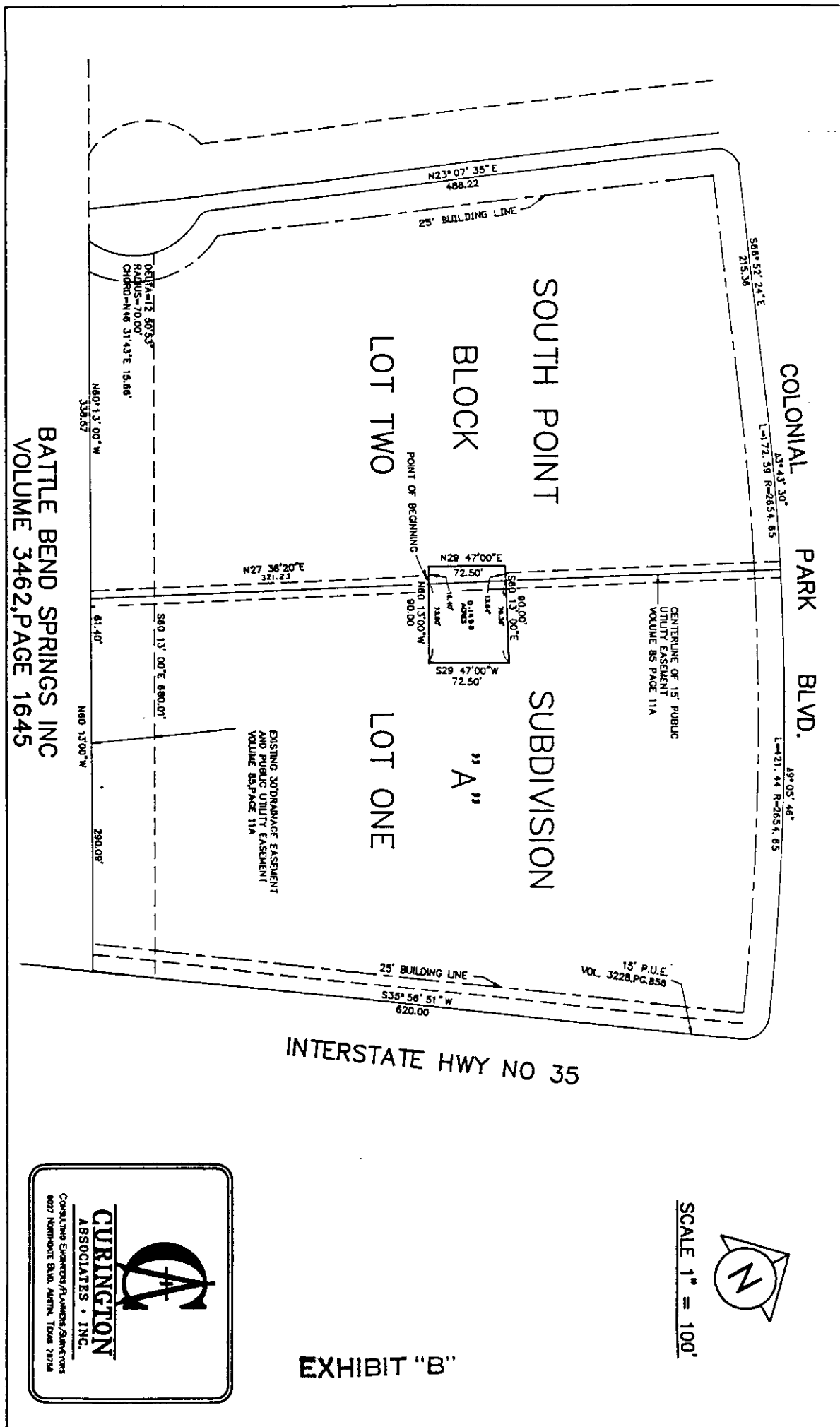


EXHIBIT "B"



CURINGTON ASSOCIATES • INC.

CONSULTING ENGINEERS/PLANNERS/SURVEYORS

8007 NORMAN BLVD. AUSTIN, TEXAS 78758

Austin American-Statesman

City of Austin

AFFIDAVIT OF PUBLICATION

THE STATE OF TEXAS
COUNTY OF TRAVIS

Before me, the undersigned authority, a Notary Public in and for the County of Travis, State of Texas, on this day personally appeared:

James R. Frizzell

Classified Advertising Agent of the Austin American-Statesman, a daily newspaper published in said County and State, who being duly sworn by me, states that the attached advertisement was published in said newspaper on the following dates, to wit:

January 20th, 1989

and that the attached is a true copy of said advertisement.

SWORN AND SUBSCRIBED TO BEFORE ME, this the 20th

Day of January A.D. 1989.

ORDINANCE NO. 890105-S
AN ORDINANCE ORDERING ARE-
ZONING AND CHANGING THE
ZONING MAP ACCOMPANYING
CHAPTER 19.7 OF THE AUSTIN
CITY CODE OF 1981 AS FOLLOWS:
TRACT 1: 0.3493 ACRE TRACT OF
LAND OUT OF LOT 1, BLOCK A,
SOUTH POINT SUBDIVISION,
FROM "GR" COMMUNITY COM-
MERCIAL DISTRICT TO "CS-CO"
GENERAL COMMERCIAL SER-
VICES DISTRICT-CONDITIONAL
OVERLAY COMBINING DISTRICT;
AND,
TRACT 2: 0.1498 ACRE TRACT OF
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COMMERCIAL DISTRICT TO "CS-
CO" GENERAL COMMERCIAL
SERVICES DISTRICT-CONDITIONAL
OVERLAY COMBINING
DISTRICT.
LOCALLY KNOWN AS 5000 SOUTH
INTERSTATE HIGHWAY SERVICE
ROAD, SAID PROPERTY BEING
LOCATED IN AUSTIN, TRAVIS
COUNTY, TEXAS, SUSPENDING
THE RULE REQUIRING THE
READING OF ORDINANCES ON
THREE SEPARATE DAYS; AND
PROVIDING AND EFFECTIVE
DATE.

Mayor Lee Cooke,
Austin, Texas

Tina M. Cook
(Type or Print Name)

Tina M. Cook
Notary Public in and for
TRAVIS COUNTY, TEXAS

10/20/90
(My Commission Expires:)